IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

WP(C).No. 25808 of 2007(V)

PETITIONER:

JOSEPH ANTONY, S/O. P.M.VARGHESE,
PALLIKKAPARAMBIL HOUSE, VADUTHALA, ERNAKULAM.

BY ADV. SRI.M.BALAGOVINDAN
SRI.M.R.SASITH

RESPONDENTS:

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1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ASST.EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, K.S.E.B. CENTRAL,
ERNAKULAM.

2. DISTRICT MAGISTRATE (DISTRICT COLLECTOR)
CIVIL STATION, ERNAKULAM.

R1 BY ADV. SRI.P.P.THAJUDEEN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.25808 of 2007

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Dated this the 11th day of September, 2007.

JUDGMENT

Heard counsel for the petitioner and Standing Counsel for KSEB. The line approved over petitioner's property is a weatherproof cable of 30 metres length. Since weatherproof cable is an insulated benign cable that too, passing over the boundary of petitioner's property, I do not find any grievance for the petitioner warranting interference. However, if petitioner desires and deposits the cost for drawing underground cable through pipeline in petitioner's property in the place of the weatherproof cable already drawn, there will be direction to the first respondent to shift the line through underground cable if it is technically feasible. The estimated cost will be informed to the petitioner for him to deposit the same and thereafter shifting will be done.

C.N.RAMACHANDRAN NAIR
Judge

pms